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EMERGENCY RESPONSE BRANCH

REGION 5, CHICAGO, ILLINOIS

FAX NUMBER; 312-353-9176

TO: Douglas Hermann / Steve Koenderz

FROM: Verneta Simon

DATE: 10/8/04

PHONE NUMBER: (847) 279-2510

TOTAL NUMBER OF PAGES (INCLUDING COVER) 7

COMMENTS: Grand Pier Notice of Completion Letter w/enclosure

MESSAGE CONFIRMATION

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

OCT 08 2004

REPLY TO THE ATTENTION OF: SE-5J

VIA FACSIMILE (847) 279-2510 AND U.S. MAIL

Mr. Douglas Hermann
Dr. Steven Kornder
STS Consultants, Ltd.
750 Corporate Woods Parkway
Vernon Hills, Illinois 60061-3153

Re: Completion of Off-Site Work under Order No. V-W-96-C-353 for the Lindsay Light II Site, RV3 North Columbus Drive Site (200 East Illinois Street), Chicago, Cook County, Illinois As Issued June 6, 1996 and Amended on March 29, 2000.

Dear Mr. Hermann and Dr. Kornder:

The United States Environmental Protection Agency (U.S. EPA) issued a Unilateral Administrative Order No. V-W-96-C-353 (UAO) on June 6, 1996 to Kerr-McGee Chemical, Corporation and The Chicago Dock & Canal Trust requiring removal of thorium contamination from the Lindsay Light II Site located at 316 East Illinois Street, Chicago, Cook County, Illinois. On March 29, 2000, U.S. EPA amended the UAO (Amended UAO) to also include the property located across Columbus Drive bearing the Cook County's Assessor's Parcel Number 17 10 212 019 (the Site or Grand Pier Site). This Completion Letter only covers the residual contamination discovered beneath the adjacent sidewalk to the east of the Site along North Columbus Drive. This letter does not apply to the Beverly Gravel Removal Site in Elgin, Illinois. The on-site work had been discussed in an earlier completion letter dated August 26, 2002 and is attached for reference.

This Off-Site Work Completion Letter concludes that all off-site work required by the Amended UAO at Grand Pier Site property has been completed and no further off-site removal activities at this property are necessary. The required off-site work was conducted between May 17 and May 28, 2004, in accordance with the Work Plan for the Columbus Drive Sidewalk Remediation dated March 9, 2001, and approved by U.S. EPA on April 11, 2001.

The June 6, 1996 UAO required removal of thorium contamination from the 316 East Illinois Street site that the Chicago Dock & Canal Trust identified in an extent of contamination study Chicago Dock performed pursuant to an Administrative Order by Consent, No. V-W-94-C-22 dated January 27, 1994. The UAO also required Chicago Dock & Canal Trust to excavate and dispose of all characterized wastes identified and generated during removal activities. After the discovery of elevated levels of radioactive materials at the Grand Pier site on February 29, 2000

the Amended UAO was issued to Kerr-McGee Chemical Corporation, River East L.L.C. (the former Chicago Dock & Canal Trust), and Grand Pier Center L.L.C.

The UAO and the Amended UAO required, among other tasks, the following work:

- 1) Develop and implement a Site Health and Safety Plan.
- 2) Develop and implement Site security measures.
- 3) Develop and implement air monitoring program.
- 4) Remove contamination until the cleanup criterion of 5 picoCuries per gram total radium (radium-226 + radium-228) over background is achieved. This cleanup criterion will be met in each 15 centimeter layer below the surface. Averaging over areas up to 100 square meters will be allowed, but only after reasonable efforts have been made to achieve levels As Low As Reasonably Achievable (ALARA). It is not U.S. EPA's intent to leave any elevated areas of contamination if at all possible.
- 5) Transport and dispose of all characterized or identified hazardous substances, pollutants, wastes or contaminants at a RCRA/CERCLA/IDNS approved disposal facility in accordance with the U.S. EPA off-site policy.
- 6) Conduct off-site surveying and sampling as necessary and, at a minimum, implement the standards of 40 Code of Federal Regulations ("CFR") 192, if deemed necessary should contamination be discovered beyond current site boundaries.

Pursuant to the Amended UAO, Grand Pier Center L.L.C. through their consultant, STS Consultants Ltd., submitted a workplan on March 9, 2001. U.S. EPA approved the workplan, on April 11, 2001. The sidewalk remediation involved the excavation and disposal of 105 cubic yards of thorium impacted soil at Envirocare in Clive, Utah. On August 31, 2004, STS Consultants Ltd. submitted a final report on their activities at the Site, as required by the Amended UAO.

U.S. EPA's Superfund Division performed oversight of the PRP's activities at this site. Superfund Division reviewed the final report.

This notice of completion in no way releases River East L.L.C. and Kerr-McGee Chemical L.L.C., or Grand Pier Center L.L.C. from any potential future obligations to perform additional work to address the same or other conditions at the Site, or at off-site locations associated with the Lindsay Light II facility. Similarly, this notice of completion does not release River East L.L.C. Kerr-McGee Chemical L.L.C., and Grand Pier Center L.L.C. from any recordkeeping, payment, penalties for any violation of the Order or other obligations under the Order that extend beyond the date of this notice.

Please contact me at (312) 886-3601 or Mary Fulghum, Associate Regional Counsel at (312) 886-4683 if you have any questions concerning this letter.

Sincerely,

A handwritten signature in cursive script that reads "Vernetta Simon".

Vernetta Simon, P.E.
On-Scene Coordinator

Enclosure:

1. August 26, 2002 Notice of Completion of Off-Site Work under Order No. V-W-96-C-353 for the Lindsay Light II Site, RV3 North Columbus Drive Site (200 East Illinois Street), Chicago, Cook County, Illinois As Issued June 6, 1996 and Amended on March 29, 2000.

cc: James Brandt, CM & D, w/enclosure
Kris Curran, Ungaretti & Harris LLP, w/enclosure
Mark Kripple, Kerr-McGee, w/enclosure
Fredrick Mueller, Johnson & Bell, w/enclosure
J.T. Smith, Covington & Burling, w/enclosure
Vincent S. Oleszkiewicz, Baker and McKenzie, w/enclosure
Mike Witte, Grand Pier Center, w/enclosure
Kimberly Worthington, Chicago Department of Environment, w/enclosure

bcc: Mary Fulghum, C-14J, w/o enclosure
Charles Gebien, SE-5J, w/o enclosure
Larry Jensen, SE-5J, w/o enclosure
Mike Joyce, P-19J, w/o enclosure
Cathleen Martwick, C-14J, w/o enclosure
Fred Micke, SE-5J, w/o enclosure
Debbie Regel, SE-5J, w/o enclosure
Verneta Simon, SE-5J, w/o enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

7-1-02
3-1-02

August 26, 2002

REPLY TO THE ATTENTION OF SE-5J

VIA FACSIMILE AND U.S. MAIL

Mr. Richard Berggreen, C.P.G.
STS Consultants, Ltd.
750 Corporate Woods Parkway
Vernon Hills, Illinois 60061-3153

DUPLICATE
RECORDS CENTER
EPA/IL

Re: Completion of On-Site Work under Order No. V-W-96-C-353 for the Lindsay Light II Site, RV3 North Columbus Drive Site (200 East Illinois Street), Chicago, Cook County, Illinois As Issued June 6, 1996 and Amended on March 29, 2000.

Dear Mr. Berggreen:

The United States Environmental Protection Agency issued a Unilateral Administrative Order No. V-W-96-C-353 (UAO) on June 6, 1996 to Kerr-McGee Chemical, Corporation and The Chicago Dock & Canal Trust requiring removal of thorium contamination from the Lindsay Light II Site located at 316 East Illinois Street, Chicago, Cook County, Illinois. On March 29, 2000, U.S. EPA amended the UAO (Amended UAO) to also include the property located across Columbus Drive bearing the Cook County's Assessor's Parcel Number 17 10 212 019 (the Site or Grand Pier Site). This Completion Letter covers only the on-site portion of the Grand Pier Site located at 200 East Illinois Street as described in the Amended UAO issued March 29, 2000. For the purposes of this Notice of Completion, "on-site" is defined as the real property identified as Cook County's Assessor's Parcel Number 17 10 212 019 that is bounded by, but does not include any remaining thorium contamination underlying the adjacent sidewalks or street right-of-ways of East Illinois Street, North Columbus Drive, East Grand Avenue, and St. Clair Street. This Completion Letter concludes that upon receipt of bound final report which incorporate all editorial changes requested in a separate letter dated June 14, 2002, that all on-site work required by the Amended UAO at Grand Pier will be complete and no further on-site removal activities are necessary. This Completion letter also determines that all off-site work required by the Amended UAO has not been completed. Specifically, the removal of thorium contamination beneath the Columbus Drive sidewalk right-of-way as described in your U.S. EPA-approved workplan dated April 11, 2001, which is required by Section V, 3. Paragraph g. of the UAO and Amended UAO. Paragraph g. requires "...off-site surveying and sampling as necessary and, at a minimum, implement 40 CFR 192, if deemed necessary should contamination be discovered beyond current site boundaries."

The June 6, 1996 UAO required removal of thorium contamination from the 316 East Illinois Street site that the Chicago Dock & Canal Trust identified in an extent of contamination study

Chicago Dock performed pursuant to an Administrative Order by Consent, No. V-W-94-C-22 dated January 27, 1994. The UAO also required Chicago Dock & Canal Trust to excavate and dispose of all characterized wastes identified and generated during removal activities. After the discovery of elevated levels of radioactive materials at the Grand Pier site on February 29, 2000 the Amended UAO was issued to Kerr-McGee Chemical Corporation, River East L.L.C. (the former Chicago Dock & Canal Trust), and Grand Pier Center L.L.C..

The UAO and the Amended UAO required the following work:

- 1) Develop and implement site health, safety and security measures.
- 2) Develop and implement air monitoring program.
- 3) Remove contamination until the cleanup criterion of 5 picoCuries per gram total radium (radium-226 + radium-228) over background is achieved. This cleanup criterion will be met in each 15 centimeter layer below the surface. Averaging over areas up to 100 square meters will be allowed, but only after reasonable efforts have been made to achieve levels As Low As Reasonably Achievable (ALARA). It is not U.S. EPA's intent to leave any elevated areas of contamination if at all possible.
- 5) Transport and dispose of all characterized or identified hazardous substances, pollutants, wastes or contaminants at a RCRA/CERCLA/IDNS approved disposal facility in accordance with the U.S. EPA off-site policy.
- 6) Conduct off-site surveying and sampling as necessary and, at a minimum, implement 40 CFR 192, if deemed necessary should contamination be discovered beyond current site boundaries.
- 7) Backfill all excavations with suitable material, and if soil, test borrow source for radioactivity and other pertinent characteristics in 40 CFR Part 261.

Pursuant to the Amended UAO, Grand Pier Center L.L.C. through their consultant, STS Consultants Ltd., submitted a workplan on March 20, 2000. U.S. EPA approved the workplan, on March 23, 2000. In total, 10,606.4 tons of thorium impacted soil were shipped to Envirocare in Clive, Utah. On July 3, 2001, STS Consultants Ltd. submitted a final report on their activities at the site, as required by the Amended UAO.

U.S. EPA's Superfund Division performed oversight of the PRP's activities at this site. Superfund Division reviewed the final report..

This notice of completion in no way releases River East, L.L.C. and Kerr-McGee Chemical L.L.C, or Grand Pier Center L.L.C. from any potential future obligations to perform additional work to address the same or other conditions at the site, at the 341 East Ohio (North McClurg Court) Site, or at off-site locations associated with the Lindsay Light II facility. Similarly, this

notice of completion does not release River East, L.L.C. Kerr-McGee, Chemical L.L.C., and Grand Pier Center L.L.C. from any recordkeeping, payment, penalties for any violation of the Order or other obligations under the Order that extend beyond the date of this notice.

Please contact me at (312) 886-5123 or Mary Fulghum, Associate Regional Counsel at (312) 886-4683 if you have any questions concerning this letter.

Sincerely,

Fredrick A. Micke

Fredrick A. Micke, P.E.

On-Scene Coordinator, ERB #3

cc: Mark Kripple, Kerr-McGee

J.T. Smith, Covington & Burling

Vincent S. Oleszkiewicz, Baker and McKenzie

Fredrick Moeller, Johnson & Bell